

AMENDED IN ASSEMBLY AUGUST 17, 1998

AMENDED IN ASSEMBLY JULY 30, 1998

AMENDED IN ASSEMBLY JULY 8, 1998

AMENDED IN ASSEMBLY JUNE 17, 1998

AMENDED IN SENATE MAY 19, 1998

AMENDED IN SENATE APRIL 14, 1998

SENATE BILL

No. 1916

Introduced by Senator Sher

February 19, 1998

An act to amend Sections 25173.6, 25173.7, 25205.15, 25244.13, 25244.14, 25244.22, and 57000 of, and to add Sections 25244.15.1, 25244.17.1, 25244.17.2, 25244.24, and 57007 to, the Health and Safety Code, relating to environmental protection.

LEGISLATIVE COUNSEL'S DIGEST

SB 1916, as amended, Sher. Hazardous waste source reduction: toxic chemical releases.

(1) Existing law, the Environmental Cleanup and Fee Reform Act of 1997, creates the Toxic Substances Control Account in the General Fund, as of July 1, 1998, and requires specified funds to be deposited in that account. The funds deposited in the account are appropriated to the Department of Toxic Substances Control for specified purposes, including, among other things, the unified hazardous waste and hazardous materials management program. Existing law

makes a statement of legislative intent concerning the appropriation of funds from the account by the annual Budget Act, including a statement that it is the intent of the Legislature to appropriate not more than \$1,200,000 for the purpose of implementing the unified program. Existing law, the Environmental Cleanup and Fee Reform Act of 1997, creates the Toxic Substances Control Account in the General Fund, as of July 1, 1998, and requires that specified funds be deposited in that account, including the charge imposed on corporations handling hazardous materials. The funds deposited in the Toxic Substances Control Account are appropriated to the department for specified purposes, including, among other things, the unified hazardous waste and hazardous materials management program.

This bill would allow the funds in the Toxic Substances Control Account to be appropriated for the unified hazardous waste and hazardous materials management program only until June 30, 1999.

The bill would revise the statement of legislative intent to delete the statement regarding the appropriation of funds in the account for the unified hazardous waste and hazardous materials management program and would additionally state that it is the intent of the Legislature to appropriate not less than \$1,050,000, in the annual Budget Act, commencing with the 1999–2000 fiscal year, to establish and implement a specified program to encourage hazardous waste generators to implement pollution prevention measures.

(2) Existing law requires a specified fee to be paid for each manifest form used before June 30, 1998, except as specified, and requires the department to impose a specified manifest fee system after June 30, 1998, that excludes certain wastes that are recycled. A failure to pay these fees is a crime, pursuant to other provisions of law. Existing law requires the department to annually expend \$1,050,000, commencing with the 1999–2000 fiscal year, upon appropriation by the Legislature, from the manifest fees deposited in the Hazardous Waste Control Account, to encourage hazardous waste generators to implement pollution prevention measures.



This bill would repeal the requirement that funds be expended from the manifest fees deposited in the Hazardous Waste Control Account for pollution prevention measures.

This bill would revise the payment requirements for the manifest fee system and would instead require the department to implement a system by July 1, 2000, that distinguishes between manifests used solely for transporting hazardous wastes that are recycled and manifests used for transporting waste for any other purpose. Since a failure to pay these charges would be a crime, the bill would impose a state-mandated local program by creating new crimes.

(3) Existing law, the Hazardous Waste Source Reduction and Management Review Act of 1989, requires specified generators of hazardous waste to maintain certain plans and reports, and summaries with regard to hazardous waste reduction practices. The Director of Toxic Substances Control is required to submit a biennial report of the department's implementation of the act.

This bill would create the California Source Reduction Advisory Committee, with a specified membership, and would provide for the duties of the committee, including evaluating the progress of the department's source reduction program. The bill would provide for the operation of the advisory committee until April 15, 2002, and after that date only if the department makes a specified determination. The bill would require the department to establish a technical assistance and outreach program to promote implementation of model source reduction measures in priority industry categories, as specified, and to expand the department's source reduction program to provide source reduction training and resources to certified unified program agencies, small business development corporations, business environmental assistance centers, and other regional and local government environmental assistance programs to provide technical assistance to generators in identifying and applying methods of source reduction.

This bill would delete the requirement for the biennial report and would instead require the department, by May 1, 2000, and on or before January 15, every other year thereafter, to prepare a draft work plan, in consultation with the advisory

committee to implement the act and to finalize that work plan by June 15, 2000, and by April 1 every other year thereafter. The bill would provide for the information required to be included in the work plan, including an outline of the department's operations and activities proposed for the next 2-year period. The bill would require the department, on or before October 1, 2000, in consultation with the advisory committee, to conduct an inventory and analysis of existing low-cost voluntary programs, as specified, to reduce hazardous waste generation and other environmental releases of toxic chemicals. The bill would also require the department, in consultation with the advisory committee, large businesses, and the public, to develop a low-cost voluntary program to further reduce the generation of hazardous waste by large businesses in California, as specified. The bill would provide, however, that, if on the basis of the inventory and analysis, the department finds that it is not possible to design and implement, at relatively low cost, a voluntary program to promote cooperative relationships between California business and the department, while creating a significant environmental benefit, and the advisory committee concurs, the department would not be required to implement the program.

(4) *This bill would incorporate changes to Section 25205.15 of the Health and Safety Code proposed by both this bill and AB 2067 that would only become operative if both bills are enacted and become effective on or before January 1, 1999, each bill amend that section, and this bill is chaptered last.*

(5) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.



The people of the State of California do enact as follows:

1 SECTION 1. The purpose of this act is to provide
2 direction and oversight to the Department of Toxic
3 Substances Control for expenditure of one million fifty
4 thousand dollars (\$1,050,000) to be appropriated in the
5 annual Budget Act commencing with the 1999–2000 fiscal
6 year for expanded implementation of programs to
7 encourage hazardous waste generators to implement
8 pollution prevention measures. It is the intent of the
9 Legislature that these funds be used to expand the
10 department's source reduction activities beyond existing
11 activities associated with the preparation of source
12 reduction evaluation reviews and plans and to encompass
13 technical assistance and outreach activities on a larger
14 scale for selected industry categories.

15 SEC. 2. Section 25173.6 of the Health and Safety Code
16 is amended to read:

17 25173.6. (a) There is in the General Fund the Toxic
18 Substances Control Account, which shall be administered
19 by the director. In addition to any other money that may
20 be appropriated by the Legislature to the Toxic
21 Substances Control Account, all of the following shall be
22 deposited in the account:

23 (1) The fees collected pursuant to Section 25205.6.

24 (2) The fees collected pursuant to Section 25187.2, to
25 the extent that those fees are for oversight of a removal
26 or remedial action taken under Chapter 6.8
27 (commencing with Section 25300) or Chapter 6.85
28 (commencing with Section 25396).

29 (3) Any fines or penalties collected pursuant to this
30 chapter, Chapter 6.8 (commencing with Section 25300)
31 or Chapter 6.85 (commencing with Section 25396),
32 except as directed otherwise by Section 25192.

33 (4) Any interest earned upon money deposited in the
34 Toxic Substances Control Account.

35 (5) All money recovered pursuant to Section 25360,
36 except recoveries of amounts paid from the Hazardous
37 Substance Cleanup Fund.

38 (6) All money recovered pursuant to Section 25380.

1 (7) Any reimbursements for funds expended from the
2 Toxic Substances Control Account for services provided
3 by the department, including, but not limited to,
4 reimbursements required pursuant to Sections 25201.9
5 and 25343.

6 (8) Any money received from the federal government
7 pursuant to the federal Comprehensive Environmental
8 Response, Compensation, and Liability Act of 1980, as
9 amended (42 U.S.C. Sec. 9601, et seq.).

10 (9) Any money received from responsible parties for
11 remedial action or removal at a specific site, except as
12 otherwise provided by law.

13 (b) The funds deposited in the Toxic Substances
14 Control Account may be appropriated to the department
15 for the following purposes:

16 (1) The administration and implementation of the
17 following:

18 (A) Chapter 6.8 (commencing with Section 25300),
19 except that no funds may be expended from the Toxic
20 Substances Control Account for purposes of Section
21 25354.5.

22 (B) Chapter 6.85 (commencing with Section 25396).

23 (C) Chapter 6.11 (commencing with Section 25404),
24 on and before June 30, 1999.

25 (D) Article 10 (commencing with Section 7710) of
26 Chapter 1 of Division 4 of the Public Utilities Code, to the
27 extent the department has been delegated
28 responsibilities by the secretary for implementing that
29 article.

30 (2) The administration of the following units within
31 the department:

32 (A) The Human and Ecological Risk Division.

33 (B) The Hazardous Materials Laboratory.

34 (C) The Office of Pollution Prevention and
35 Technology Development.

36 (3) For allocation to the Office of Environmental
37 Health Hazard Assessment, pursuant to an interagency
38 agreement, to assist the department as needed in
39 administering the programs described in subparagraphs
40 (A) and (B) of paragraph (1).

1 (4) For allocation to the State Board of Equalization to
2 pay refunds of fees collected pursuant to Section 43054 of
3 the Revenue and Taxation Code.

4 (5) For the state share mandated pursuant to
5 paragraph (3) of subsection (c) of Section 104 of the
6 federal Comprehensive Environmental Response,
7 Compensation, and Liability Act of 1980, as amended (42
8 U.S.C. Sec. 9404(c)(3)).

9 (6) For the purchase by the state, or by any local
10 agency with the prior approval of the director, of
11 hazardous substance response equipment and other
12 preparations for response to a release of hazardous
13 substances. However, all equipment shall be purchased in
14 a cost-effective manner after consideration of the
15 adequacy of existing equipment owned by the state or the
16 local agency, and the availability of equipment owned by
17 private contractors.

18 (7) For payment of all costs of removal and remedial
19 action incurred by the state, or by any local agency with
20 the approval of the director, in response to a release or
21 threatened release of a hazardous substance, to the extent
22 the costs are not reimbursed by the federal
23 Comprehensive Environmental Response,
24 Compensation, and Liability Act of 1980, as amended (42
25 U.S.C. Sec. 9601, et seq.).

26 (8) For payment of all costs of actions taken pursuant
27 to subdivision (b) of Section 25358.3, to the extent that
28 these costs are not paid by the federal Comprehensive
29 Environmental Response, Compensation, and Liability
30 Act of 1980, as amended (42 U.S.C. Sec. 9601, et seq.).

31 (9) For all costs incurred by the department in
32 cooperation with the Agency for Toxic Substances and
33 Disease Registry established pursuant to subsection (i) of
34 Section 104 of the federal Comprehensive
35 Environmental Response, Compensation, and Liability
36 Act of 1980, as amended (42 U.S.C. Sec. 9604(i)) and all
37 costs of health effects studies undertaken regarding
38 specific sites or specific substances at specific sites. Funds
39 appropriated for this purpose shall not exceed five
40 hundred thousand dollars (\$500,000) in any single fiscal

1 year. However, these actions shall not duplicate
2 reasonably available federal actions and studies.

3 (10) For repayment of the principal of, and interest
4 on, bonds sold pursuant to Article 7.5 (commencing with
5 Section 25385).

6 (11) For the reasonable and necessary administrative
7 costs and expenses of the Hazardous Substance Cleanup
8 Arbitration Panel created pursuant to Section 25356.2.

9 (12) Direct site remediation costs.

10 (13) For the department's expenses for staff to
11 perform oversight of investigations, characterizations,
12 removals, remediations, or long-term operation and
13 maintenance.

14 (14) For the administration and collection of the fees
15 imposed pursuant to Section 25205.6.

16 (c) The funds deposited in the Toxic Substances
17 Control Account may be appropriated by the Legislature
18 to the office of the Attorney General for the support of the
19 Toxic Substance Enforcement Program in the office of
20 the Attorney General, in carrying out the purposes of
21 Chapter 6.8 (commencing with Section 25300) and
22 Chapter 6.85 (commencing with Section 25396).
23 Expenditures for the purposes of this subdivision are not
24 subject to an interagency or interdepartmental
25 agreement.

26 (d) The director shall expend federal funds in the
27 Toxic Substances Control Account consistent with the
28 requirements specified in Section 114 of the federal
29 Comprehensive Environmental Response,
30 Compensation, and Liability Act of 1980, as amended (42
31 U.S.C. Sec. 9601), upon appropriation by the Legislature,
32 for the purposes for which they were provided to the
33 state.

34 (e) Money in the Toxic Substances Control Account
35 shall not be expended to conduct removal or remedial
36 actions if any significant portion of the hazardous
37 substances to be removed or remedied originated from a
38 source outside the state.

39 (f) The Director of Finance, upon request of the
40 director, may make a loan from the General Fund to the



1 Toxic Substances Control Account to meet cash needs.
2 The loan shall be subject to the repayment provisions of
3 Section 16351 of the Government Code and the interest
4 provisions of Section 16314 of the Government Code.

5 SEC. 3. Section 25173.7 of the Health and Safety Code
6 is amended to read:

7 25173.7. (a) It is the intent of the Legislature that
8 funds deposited in the Toxic Substances Control Account
9 shall be appropriated in the annual Budget Act each year
10 in the following manner:

11 (1) Not less than six million seven hundred fifty
12 thousand dollars (\$6,750,000) to the Site Remediation
13 Account in the General Fund for direct site remediation
14 costs, as defined in Section 25337. The amount specified
15 in this paragraph shall be increased in any fiscal year by
16 the amount of increased revenues specified by the
17 Legislature in the Budget Act for that fiscal year pursuant
18 to subdivision (f) of Section 25205.6.

19 (2) Not less than four hundred thousand dollars
20 (\$400,000) to the Expedited Site Remediation Trust Fund
21 in the State Treasury, created pursuant to subdivision (a)
22 of Section 25399.1, for purposes of paying the orphan
23 share of response costs pursuant to Chapter 6.85
24 (commencing with Section 25396).

25 (3) Not more than five hundred thousand dollars
26 (\$500,000) for purposes of the administration and
27 collection of the fees specified in paragraph (14) of
28 subdivision (b) of Section 25173.6.

29 (4) Commencing with the 1999–2000 fiscal year and
30 annually thereafter, not less than one million fifty
31 thousand dollars (\$1,050,000) for purposes of establishing
32 and implementing a program pursuant to Sections
33 25244.15.1, 25244.17.1, 25244.17.2, 25244.22, and 25244.24 to
34 encourage hazardous waste generators to implement
35 pollution prevention measures. Funds not appropriated
36 as specified in paragraphs (1) to (4), inclusive, may be
37 appropriated for any of the purposes specified in
38 subdivision (b) of Section 25173.6, except the purposes
39 specified in subparagraph (C) of paragraph (1) of, and
40 paragraph (14) of, subdivision (b) of Section 25173.6.

1 (b) The amounts specified in paragraphs (1) to (3),
2 inclusive, of subdivision (a) are the amounts that the
3 Legislature intends to appropriate for the 1998–99 fiscal
4 year for the purposes specified in those paragraphs, and
5 the amount specified in paragraph (4) of subdivision (a)
6 is the amount the Legislature intends to appropriate for
7 *the* 1999–2000 fiscal year for the purposes specified in that
8 paragraph. Beginning with the 1999–2000 fiscal year, and
9 for each fiscal year thereafter, the amounts specified in
10 paragraphs (1) to (3), inclusive, of subdivision (a), and
11 beginning with the 2000–01 fiscal year, and for each fiscal
12 year thereafter, the amount specified in paragraph (4) of
13 subdivision (a) shall be adjusted annually to reflect
14 increases or decreases in the cost of living during the prior
15 fiscal year, as measured by the Consumer Price Index
16 issued by the Department of Industrial Relations or by a
17 successor agency.

18 SEC. 4. Section 25205.15 of the Health and Safety
19 Code is amended to read:

20 25205.15. (a) Except for the first four manifests used
21 in a calendar year by a business with less than 100
22 employees, and except as provided in subdivision (b), the
23 department shall impose a fee of twelve dollars (\$12) for
24 each California Uniform Hazardous Waste Manifest form
25 used on or before June 30, 1998, by any person in the
26 following manner:

27 (1) The Governor may order the department to
28 refund three-quarters of the amount of manifest fees paid
29 on manifests used during the 1991 calendar year.

30 (2) (A) On and after the 1992 calendar year, for all
31 manifests used on or before June 30, 1998, the manifest fee
32 shall be assessed on all manifests used in the calendar year
33 ending prior to the start of the fiscal year in which the
34 billing occurs.

35 (B) Notwithstanding subparagraph (A), the
36 department may bill a person for a manifest used from
37 January 1, 1998, to June 30, 1998, inclusive, during the
38 period beginning January 1, 1999, and ending June 30,
39 1999, inclusive.

1 (b) The manifest fee for any manifest that is used on
2 or before June 30, 1998, solely for wastes that are to be
3 recycled is six dollars (\$6) and the total amount of
4 manifest fees paid in a calendar year for these manifests
5 shall not exceed five thousand dollars (\$5,000) for each
6 hazardous waste identification number issued either by
7 the department or the Environmental Protection
8 Agency.

9 (c) Except as provided in paragraph (3), after June 30,
10 1998, in addition to any fees to cover printing and
11 distribution costs, the department shall impose a manifest
12 fee of seven dollars and fifty cents (\$7.50) for each
13 California Hazardous Waste Manifest form or electronic
14 equivalent used after June 30, 1998, by any person, in the
15 following manner:

16 (1) Except as provided in paragraph (2), on and after
17 July 1, 1998, the department shall bill generators for each
18 California Uniform Hazardous Waste Manifest form,
19 manifest number, or electronic equivalent used after
20 June 30, 1998. The billing frequency specified by the
21 department may range from monthly to annually, with
22 the payment by the generator required within 30 days
23 from the date of receipt of the billing, and shall be
24 determined based on consultation with the regulated
25 community. In preparing the bills, the department shall
26 distinguish between manifests used solely for recycled
27 hazardous wastes and those used for nonrecycled
28 hazardous wastes. In determining the billing frequency,
29 the department may take into account each person's
30 volume of manifest usage.

31 (2) On or before July 1, 2000, the department shall
32 determine if revenues from the manifest fee as collected
33 pursuant to paragraph (1) will equal or exceed one
34 million seven hundred thousand dollars (\$1,700,000) for
35 the 1999–2000 fiscal year. If the department determines
36 that the manifest fee revenues will not equal or exceed
37 one million seven hundred thousand dollars (\$1,700,000)
38 for the 1999–2000 fiscal year, the department shall do the
39 following:

1 (A) Commencing July 1, 2000, implement a system to
2 collect the manifest fee at the time of original sale of the
3 manifest or distribution of manifest numbers or
4 electronic equivalent to users by the department for all
5 manifests that will be used after June 30, 2000.

6 (B) On or before July 1, 2000, implement a system for
7 the use of manifests that distinguishes between manifests
8 used solely for transporting hazardous wastes that are
9 recycled and manifests used for transporting waste for
10 any other purpose.

11 (3) (A) The manifest fee shall not be collected on the
12 use of California Hazardous Waste Recycling Manifests
13 that are used after June 30, 1998, solely for hazardous
14 wastes that are recycled.

15 (B) If a person uses a manifest that reports that it is
16 being used for hazardous wastes that are recycled for
17 other types of hazardous waste, the person shall pay the
18 manifest fee provided for in this subdivision and an
19 additional error correction fee of twenty dollars (\$20) per
20 manifest, as required pursuant to Section 25160.5.
21 However, the department shall provide the manifest user
22 with a reasonable opportunity to notify the department
23 of any incorrect use of the recycling manifest and provide
24 the department with the appropriate manifest fee
25 payment without additional fines, penalties, or payment
26 of the error correction fee.

27 (4) The department may adopt regulations to
28 implement and administer the manifest fee system
29 imposed pursuant to this subdivision.

30 (d) The department shall expend the sum of one
31 million dollars (\$1,000,000) from the manifest fees
32 deposited in the Hazardous Waste Control Account, upon
33 appropriation by the Legislature in the annual Budget
34 Act, to cover the one-time cost of implementing changes
35 to the hazardous waste manifest tracking system during
36 the 1998–99 fiscal year.

37 (e) The manifest fees shall be deposited in the
38 Hazardous Waste Control Account and be available for
39 expenditure, upon appropriation by the Legislature.

1 SEC. 4.5. *Section 25205.15 of the Health and Safety*
2 *Code is amended to read:*

3 25205.15. (a) Except for the first four manifests used
4 in a calendar year by a business with less than 100
5 employees, and except as provided in subdivision (b), the
6 department shall impose a fee of twelve dollars (\$12) for
7 each California Uniform Hazardous Waste Manifest form
8 used on or before June 30, 1998, by any person in the
9 following manner:

10 (1) The Governor may, ~~in his or her discretion,~~ order
11 the department to refund three-quarters of the amount
12 of manifest fees paid on manifests used during the 1991
13 calendar year.

14 (2) (A) On and after the 1992 calendar year, for all
15 manifests used on or before June 30, 1998, the manifest fee
16 shall be assessed on all manifests used in the calendar year
17 ending prior to the start of the fiscal year in which the
18 billing occurs.

19 (B) *Notwithstanding subparagraph (A), the*
20 *department may bill a person for a manifest used from*
21 *January 1, 1998, to June 30, 1998, inclusive, during the*
22 *period beginning January 1, 1999, and ending June 30,*
23 *1999, inclusive.*

24 (b) The manifest fee for any manifest that is used on
25 or before June 30, 1998, solely for wastes that are to be
26 recycled is six dollars (\$6) and the total amount of
27 manifest fees paid in a calendar year for these manifests
28 shall not exceed five thousand dollars (\$5,000) for each
29 hazardous waste identification number issued either by
30 the department or the Environmental Protection
31 Agency.

32 (c) ~~On and~~ *Except as provided in paragraph (3), after*
33 *June 30, 1998, in addition to any fees to cover printing and*
34 *distribution costs, the department shall impose a manifest*
35 *fee of seven dollars and fifty cents (\$7.50) for each*
36 *California Hazardous Waste Manifest form or electronic*
37 *equivalent used after June 30, 1998, by any person, in the*
38 *following manner:*

39 (1) Except as provided in paragraph (2), on and after
40 July 1, 1998, the department shall bill generators for each

1 California Uniform Hazardous Waste Manifest form,
2 manifest number, or electronic equivalent used after
3 June 30, 1998. The billing frequency specified by the
4 department may range from monthly to ~~quarterly~~
5 *annually*, with the payment by the generator required
6 within 30 days from the date of receipt of the billing, and
7 shall be determined based on consultation with the
8 regulated community. In preparing the bills, the
9 department shall distinguish between manifests used
10 solely for recycled hazardous wastes and those used for
11 nonrecycled hazardous wastes. *In determining the billing*
12 *frequency, the department may take into account each*
13 *person's volume of manifest usage.*

14 (2) On or before July 1, 2000, the department shall
15 determine if revenues from the manifest fee as collected
16 pursuant to paragraph (1) will equal or exceed one
17 million seven hundred thousand dollars (\$1,700,000) for
18 the 1999–2000 fiscal year. If the department determines
19 that the manifest fee revenues will not equal or exceed
20 one million seven hundred thousand dollars (\$1,700,000)
21 for the 1999–2000 fiscal year, the ~~manifest fee department~~
22 shall instead, commencing July 1, 2000, ~~be collected~~
23 *implement a system to collect the manifest fee* at the time
24 of original sale of the manifest or distribution of manifest
25 numbers or electronic equivalent to users by the
26 department for all manifests that will be used after June
27 30, ~~1998~~ 2000. *In developing this system, the department*
28 *shall consult with the regulated community and shall take*
29 *into consideration the potential economic effects that a*
30 *system of collecting manifest fees at the point of original*
31 *sale may have on generators and transporters.*

32 (3) (A) The manifest fee shall not be collected on the
33 use of California Hazardous Waste Recycling Manifests
34 that are used solely for hazardous wastes that are
35 recycled.

36 (B) *On and after January 1, 1999, the manifest fee for*
37 *each California Uniform Hazardous Waste Manifest form*
38 *used after December 31, 1998, solely for hazardous waste*
39 *derived from air compliance solvents, shall be three*

1 *dollars and fifty cents (\$3.50). This fee is in addition to any*
2 *fees charged to cover printing and distribution costs.*

3 (4) ~~On or before June 30, 1998, the~~ *The* department
4 shall implement a system for the use of manifests that,
5 after ~~that date~~ *January 1, 1999*, distinguishes ~~between~~
6 *among* recycling manifests used solely for hazardous
7 wastes that are to be recycled, *manifests used solely to*
8 *transport hazardous waste derived from air compliance*
9 *solvents*, and general manifests that may be used for
10 transporting waste for any purpose.

11 (5) (A) If a person ~~uses a recycling manifest that is~~
12 ~~designated for recycled hazardous wastes for erroneously~~
13 ~~reports on a California Uniform Hazardous Waste~~
14 ~~Manifest that the manifest is being used for the transport~~
15 ~~of hazardous wastes that are being shipped for recycling~~
16 ~~or for the transport of hazardous wastes derived from air~~
17 ~~compliance solvents rather than the transport of other~~
18 types of hazardous waste, the person shall pay the *seven*
19 *dollars and fifty cents (\$7.50) manifest fee provided for in*
20 ~~this subdivision~~ and an additional error correction fee of
21 twenty dollars (\$20) per manifest, as required pursuant
22 to Section 25160.5. ~~However,~~

23 (B) *Notwithstanding subparagraph (A), the*
24 department shall provide the manifest user with a
25 reasonable opportunity to notify the department of any
26 incorrect use of ~~the recycling~~ *a manifest, as described in*
27 *subparagraph (A), and to provide the department with*
28 *the appropriate manifest fee payment without additional*
29 *finest, penalties, or payment of the error correction fee.*

30 (6) The department may adopt regulations to
31 implement and administer the manifest fee system
32 imposed pursuant to this subdivision.

33 (d) (1) The department shall expend the sum of one
34 million dollars (\$1,000,000) from the manifest fees
35 deposited in the Hazardous Waste Control Account, upon
36 appropriation by the Legislature in the annual Budget
37 Act, to cover the one-time ~~costs~~ *cost* of implementing
38 changes to the hazardous waste manifest tracking system
39 during the 1998–99 fiscal year.

1 (2) On and after July 1, 1999, commencing with
2 1999–2000 fiscal year and annually thereafter, the
3 department shall expend, upon appropriation by the
4 Legislature in the annual Budget Act, not less than one
5 million fifty thousand dollars (\$1,050,000) from the
6 manifest fees, deposited in the Hazardous Waste Control
7 Account, to establish a program to encourage hazardous
8 waste generators to implement pollution prevention
9 measures. The program shall be administered pursuant to
10 administrative and expenditure criteria to be established
11 by the Legislature.

12 (e) The manifest fees shall be deposited in the
13 Hazardous Waste Control Account and be available for
14 expenditure, upon appropriation by the Legislature.

15 (f) *For purposes of this section, “air compliance*
16 *solvent” means a solvent, including aqueous solutions,*
17 *that are required or approved for use by regulations*
18 *adopted by the State Air Resources Board, an air pollution*
19 *control district, or an air quality management district, to*
20 *meet air emission standards adopted by that board or*
21 *district and, pursuant to those regulations, is required to*
22 *be used instead of another solvent that was used and*
23 *recycled prior to the adoption of those regulations.*

24 SEC. 5. Section 25244.13 of the Health and Safety
25 Code is amended to read:

26 25244.13. The Legislature finds and declares as
27 follows:

28 (a) Existing law requires the department and the State
29 Water Resources Control Board to promote the reduction
30 of generated hazardous waste. This policy, in
31 combination with hazardous waste land disposal bans,
32 requires the rapid development of new programs and
33 incentives for achieving the goal of optimal minimization
34 of the generation of hazardous wastes. Substantial
35 improvements and additions to the state’s hazardous
36 waste reduction program are required to be made if these
37 goals are to be achieved.

38 (b) Hazardous waste source reduction provides
39 substantial benefits to the state’s economy by maximizing
40 use of materials, avoiding generation of waste materials,

1 improving business efficiency, enhancing revenues of
2 companies that provide products and services in the state,
3 increasing the economic competitiveness of businesses
4 located in the state, and protecting the state's precious
5 and valuable natural resources.

6 (c) It is the intent of the Legislature to expand the
7 state's hazardous waste source reduction activities
8 beyond those directly associated with source reduction
9 evaluation reviews and plans. The expanded program,
10 which is intended to accelerate reduction in hazardous
11 waste generation, shall include programs to promote
12 implementation of source reduction measures using
13 education, outreach, and other effective voluntary
14 techniques demonstrated in California or other states.

15 (d) It is the intent of the Legislature for the
16 department to maximize the use of its available resources
17 in implementing the expanded source reduction
18 program through cooperation with other entities,
19 including, but not limited to, CUPAs, small business
20 development corporations, business environmental
21 assistance centers, and other regional and local
22 government environmental programs. To the extent
23 feasible, the department shall utilize cooperative
24 programs with entities that routinely contact small
25 business to expand its support of small business source
26 reduction activities.

27 (e) It is the goal of this article to do all of the following:

28 (1) Reduce the generation of hazardous waste.

29 (2) Reduce the release into the environment of
30 chemical contaminants which have adverse and serious
31 health or environmental effects.

32 (3) Document hazardous waste management
33 information and make that information available to state
34 and local government.

35 (f) It is the intent of this article to promote the
36 reduction of hazardous waste at its source, and wherever
37 source reduction is not feasible or practicable, to
38 encourage recycling. Where it is not feasible to reduce or
39 recycle hazardous waste, the waste should be treated in

1 an environmentally safe manner to minimize the present
2 and future threat to health and the environment.

3 (g) It is the intent of the Legislature not to preclude
4 the regulation of environmentally harmful releases to all
5 media, including air, land, surface water, and
6 groundwater, and to encourage and promote the
7 reduction of these releases to air, land, surface water, and
8 groundwater.

9 (h) It is the intent of the Legislature to encourage all
10 state departments and agencies, especially the State
11 Water Resources Control Board, the California regional
12 water quality control boards, the State Air Resources
13 Board, the air pollution control districts, and the air
14 quality management districts, to promote the reduction
15 of environmentally harmful releases to all media.

16 SEC. 6. Section 25244.14 of the Health and Safety
17 Code is amended to read:

18 25244.14. For purposes of this article, the following
19 definitions apply:

20 (a) “Advisory committee” means the California
21 Source Reduction Advisory Committee established
22 pursuant to Section 25244.15.1.

23 (b) “Appropriate local agency” means a county, city,
24 or regional association that has adopted a hazardous waste
25 management plan pursuant to Article 3.5 (commencing
26 with Section 25135).

27 (c) “Hazardous waste management approaches”
28 means approaches, methods, and techniques of managing
29 the generation and handling of hazardous waste,
30 including source reduction, recycling, and the treatment
31 of hazardous waste.

32 (d) “Hazardous waste management performance
33 report” or “report” means the report required by
34 subdivision (b) of Section 25244.20 to document and
35 evaluate the results of hazardous waste management
36 practices.

37 (e) (1) “Source reduction” means one of the
38 following:

39 (A) Any action that causes a net reduction in the
40 generation of hazardous waste.



(B) Any action taken before the hazardous waste is generated that results in a lessening of the properties which cause it to be classified as a hazardous waste.

(2) “Source reduction” includes, but is not limited to, all of the following:

(A) “Input change,” which means a change in raw materials or feedstocks used in a production process or operation so as to reduce, avoid, or eliminate the generation of hazardous waste.

(B) “Operational improvement,” which means improved site management so as to reduce, avoid, or eliminate the generation of hazardous waste.

(C) “Production process change,” which means a change in a process, method, or technique which is used to produce a product or a desired result, including the return of materials or their components, for reuse within the existing processes or operations, so as to reduce, avoid, or eliminate the generation of hazardous waste.

(D) “Product reformulation,” which means changes in design, composition, or specifications of end products, including product substitution, so as to reduce, avoid, or eliminate the generation of hazardous waste.

(3) “Source reduction” does not include any of the following:

(A) Actions taken after a hazardous waste is generated.

(B) Actions that merely concentrate the constituents of a hazardous waste to reduce its volume or that dilute the hazardous waste to reduce its hazardous characteristics.

(C) Actions that merely shift hazardous wastes from one environmental medium to another environmental medium.

(D) Treatment.

(f) “Source reduction evaluation review and plan” or “review and plan” means a review conducted by the generator of the processes, operations, and procedures in use at a generator’s site, in accordance with the format established by the department pursuant to subdivision

1 (a) of Section 25244.16, and that does both of the
2 following:

3 (1) Determines any alternatives to, or modifications
4 of, the generator's processes, operations, and procedures
5 that may be implemented to reduce the amount of
6 hazardous waste generated.

7 (2) Includes a plan to document and implement
8 source reduction measures for the hazardous wastes
9 specified in paragraph (1) that are technically feasible
10 and economically practicable for the generator,
11 including a reasonable implementation schedule.

12 (g) "SIC Code" has the same meaning as defined in
13 Section 25501.

14 (h) "Hazardous waste," "person," "recycle," and
15 "treatment" have the same meaning as defined in Article
16 2 (commencing with Section 25110).

17 SEC. 7. Section 25244.15.1 is added to the Health and
18 Safety Code, to read:

19 25244.15.1. (a) The California Source Reduction
20 Advisory Committee is hereby created and consists of the
21 following members:

22 (1) The Executive Director of the State Air Resources
23 Board, as an ex officio member.

24 (2) The Executive Director of the State Water
25 Resources Control Board, as an ex officio member.

26 (3) The Director of Toxic Substances Control, as an ex
27 officio member.

28 (4) The Executive Director of the Integrated Waste
29 Management Board, as an ex officio member.

30 (5) The Chairperson of the California Environmental
31 Policy Council established pursuant to Section 71017 of
32 the Public Resources Code, as an ex officio member.

33 (6) Ten public members with experience in source
34 reduction as appointed by the department. These public
35 members shall include all of the following:

36 (A) Two representatives of local governments from
37 different regions of the state.

38 (B) One representative of a publicly owned treatment
39 works.

40 (C) Two representatives of industry.



1 (D) One representative of small business.

2 (E) One representative of organized labor.

3 (F) Two representatives of statewide environmental
4 advocacy organizations.

5 (G) One representative of a statewide public health
6 advocacy organization.

7 (7) The department may appoint up to two additional
8 public members with experience in source reduction and
9 detailed knowledge of one of the priority categories of
10 generators selected in accordance with Section
11 25244.17.1.

12 (b) The advisory committee shall select one member
13 to serve as chairperson.

14 (c) The members of the advisory committee shall
15 serve without compensation, but each member, other
16 than officials of the state, shall be reimbursed for all
17 reasonable expenses incurred in the performance of his
18 or her duties, as authorized by the department.

19 (d) The advisory committee shall meet at least
20 semiannually to provide a public forum for discussion and
21 deliberation on matters pertaining to the
22 implementation of this chapter.

23 (e) The advisory committee's responsibilities shall
24 include, but not be limited to, the following:

25 (1) Reviewing and providing consultation and
26 guidance in the preparation of the work plan required by
27 Section 25244.22.

28 (2) Evaluating the performance and progress of the
29 department's source reduction program.

30 (3) Making recommendations to the department
31 concerning program activities and funding priorities, and
32 legislative changes, if needed.

33 (f) The advisory committee established by this section
34 shall be in existence until April 15, 2002, by which date the
35 department shall, in consultation with the advisory
36 committee, evaluate the role and activities of the advisory
37 committee and determine if the committee is beneficial
38 to the implementation of this article. On and after April
39 15, 2002, the advisory committee shall continue to exist
40 and operate to the extent that the department, in

1 consultation with the advisory committee, determines
2 the advisory committee continues to be beneficial to the
3 operation of the department's source reduction
4 programs.

5 SEC. 8. Section 25244.17.1 is added to the Health and
6 Safety Code, to read:

7 25244.17.1. The department shall establish a technical
8 assistance and outreach program to promote
9 implementation of model source reduction measures in
10 priority industry categories.

11 (a) Every two years, in the work plan required by
12 Section 25244.22, the department shall, in consultation
13 with the advisory committee, select at least two priority
14 categories of generators by SIC Code. At least one
15 selected category of generators shall be taken from the
16 list of categories previously selected by the department
17 under Section 25244.18. At least one selected category of
18 generators shall be a category that consists primarily of
19 small businesses.

20 (b) For each selected priority industry category, the
21 department shall implement a cooperative source
22 reduction technical assistance and outreach program to
23 include the following elements:

24 (1) The department shall use available resources,
25 including reports prepared pursuant to paragraph (4) of
26 subdivision (a) of Section 25244.18 and information on
27 source reduction methods from federal, state, and local
28 governments and industry associations and industry
29 members, to identify a set of model source reduction
30 measures for each industry category.

31 (2) The department shall determine, with the
32 assistance of the advisory committee, the most effective
33 technical assistance and outreach methods to promote
34 implementation of the model source reduction measures
35 identified in paragraph (1).

36 (3) The department shall develop a plan and schedule
37 to implement the technical assistance and outreach
38 measures before the next biennial work plan. The
39 measures may include, but are not limited to, all of the
40 following:



1 (A) Holding, presenting at, or cosponsoring
2 workshops, conferences, technology fairs, and other
3 promotional events.

4 (B) Developing and distributing educational
5 materials, such as short descriptions of successful source
6 reduction projects.

7 (C) Developing checklists, training manuals,
8 technical resource manuals and using those resources to
9 train CUPAs, small business development corporations,
10 business environmental assistance centers, and other
11 regional and local government environmental programs.

12 (D) Preparing and distributing resource lists, such as
13 lists of vendors, consultants, or providers of financial
14 assistance for source reduction projects.

15 (E) Serving as an information clearinghouse to
16 support telephone and onsite consultations with
17 businesses and local governments.

18 (4) For industry categories that include primarily
19 large or technically complex businesses, the source
20 reduction technical assistance and outreach program
21 shall emphasize activities that involve direct
22 communication between department staff and industry
23 members. For these industry categories, the department
24 shall communicate with representatives of 80 percent of
25 the state's companies in the category. For categories that
26 consist primarily of small businesses, the cooperative
27 source reduction program shall emphasize providing
28 industry-specific training and resources to CUPAs, small
29 business development corporations, business
30 environmental assistance centers, and other regional and
31 local government environmental programs for use in
32 their inspections and other direct communications with
33 businesses.

34 (c) While conducting activities under this section, the
35 department shall coordinate its activities with
36 appropriate industry and professional associations.

37 (d) The department shall coordinate activities under
38 this section with grants made under Sections 25244.5 and
39 25244.11.5.

1 SEC. 9. Section 25244.17.2 is added to the Health and
2 Safety Code, to read:

3 25244.17.2. The department shall expand the
4 department's source reduction program to provide
5 source reduction training and resources to CUPAs, small
6 business development corporations, business
7 environmental assistance centers, and other regional and
8 local government environmental programs so that they
9 can provide technical assistance to generators in
10 identifying and applying methods of source reduction.

11 (a) The program expanded pursuant to this section
12 shall emphasize activities necessary to implement
13 Sections 25244.17 and 25244.17.1.

14 (b) The department shall determine, in consultation
15 with the advisory committee, the most effective methods
16 to promote implementation of source reduction
17 education programs by CUPAs, small business
18 development corporations, business environmental
19 assistance centers, and other regional and local
20 government environmental programs. Program
21 elements may include, but are not limited to, all of the
22 following:

23 (1) Sponsoring workshops, conferences, technology
24 fairs, and other training events.

25 (2) Sponsoring regional training groups, such as the
26 regional hazardous waste reduction committees.

27 (3) Developing and distributing educational
28 materials, such as short descriptions of successful source
29 reduction projects and materials explaining how source
30 reduction has been used by businesses to achieve
31 compliance with environmental laws enforced by local
32 governments.

33 (4) Developing site review checklists, training
34 manuals, and technical resource manuals and using those
35 resources to train CUPAs, small business development
36 corporations, business environmental assistance centers,
37 and other regional and local government environmental
38 programs.

1 (5) Preparing and distributing resource lists such as
2 lists of vendors, consultants, or providers of financial
3 assistance for source reduction projects.

4 (6) Serving as an information clearinghouse to support
5 telephone and onsite consultants with local governments.

6 (c) The department shall coordinate activities under
7 this section with grants made under Section 25244.11.5.

8 (d) Each fiscal year, the department shall provide
9 training and information resources to at least 90 percent
10 of CUPAs.

11 SEC. 10. Section 25244.22 of the Health and Safety
12 Code is amended to read:

13 25244.22. Commencing May 1, 2000, and on or before
14 January 15 of every other year thereafter, the department
15 shall prepare, and make available for public review
16 within five days thereafter, a draft work plan for the
17 department's operations and activities in carrying out this
18 article. The department shall prepare the work plan in
19 consultation with the advisory committee and with other
20 interested parties, including local government, industry,
21 labor, health, and environmental organizations. After
22 holding a public meeting of the advisory committee to
23 discuss the draft work plan, the department shall finalize
24 the work plan on or before June 15, 2000, and on or before
25 April 1 of every other year thereafter. The department
26 may include this work plan within the report required
27 pursuant to Section 25171. This work plan shall include,
28 but not be limited to, all of the following information:

29 (a) A summary analysis of readily available data on the
30 state's hazardous waste generation and management
31 patterns. The analysis shall include information from
32 various data sources including hazardous waste manifests,
33 biennial generator reports, and United States
34 Environmental Protection Agency Toxics Release
35 Inventory reports. The department shall estimate the
36 quantities of hazardous waste generated in the state, by
37 hazardous waste stream, the amounts of hazardous waste
38 generated in the state by industry SIC Code, and the
39 amounts of hazardous waste state generators sent offsite
40 for management, by management method.

1 (b) An evaluation of hazardous waste source reduction
2 progress in this state, using the data summary analysis
3 prepared pursuant to subdivision (a).

4 (c) Recommendations for legislation.

5 (d) Identification of any state, federal, or private
6 economic and financial incentives that can best
7 accelerate and maximize the research and development
8 of source reduction and other hazardous waste
9 management technologies and approaches.

10 (e) The status, funding, and results of all research
11 projects.

12 (f) A detailed summary of the extent to which the
13 statewide goal of 5 percent per year reduction of the
14 generation of hazardous wastes, pursuant to subdivision
15 (e) of Section 25244.15, has been attained, and a detailed
16 summary of the extent to which different categories of
17 facilities have attained the numerical goals established
18 pursuant to paragraph (9) of subdivision (b) of Section
19 25244.19. This summary, which shall use the data
20 summary analysis prepared pursuant to subdivision (a),
21 shall include an evaluation by the department of the
22 reasons why these goals have or have not been attained,
23 including an evaluation of the impact of economic growth
24 or decline and changes in production patterns, and a list
25 of appropriate recommendations designed to ensure
26 attainment of these goals.

27 (g) An outline of the department's operations and
28 activities under this article proposed for the next
29 two-year period. The department shall use the data
30 summary analysis prepared pursuant to subdivision (a) to
31 select hazardous waste stream and industries for source
32 reduction efforts. When identifying activities for
33 inclusion in the work plan, the department shall also
34 consider potential benefits to human health and the
35 environment, available resources, feasibility of applying
36 source reduction techniques to reduce selected
37 hazardous waste streams and to reduce hazardous wastes
38 generated by selected industries, and availability of
39 related resources from other entities, such as other states,

1 the federal government, local governments, and other
2 organizations.

3 SEC. 11. Section 25244.24 is added to the Health and
4 Safety Code, to read:

5 25244.24. (a) For purposes of this section the
6 following definitions shall apply:

7 (1) "Program" means the voluntary program to
8 reduce hazardous waste generation established by this
9 section.

10 (2) "Release" means a release of a chemical into the
11 environment in any manner and by any means. "Release"
12 includes, but is not limited to, any release authorized or
13 permitted pursuant to a statute, ordinance, regulation, or
14 rule of any federal, state, local, or regional agency or
15 government or by a permit, license, variance or other
16 authorization from the agency or government.

17 (b) On or before October 1, 2000, the department
18 shall, in consultation with the advisory committee
19 established pursuant to Section 25244.15.1, conduct an
20 inventory and analysis of low-cost voluntary programs
21 that are, or have been conducted by other states, the
22 federal government, or local government entities to
23 reduce hazardous waste generation and other
24 environmental releases of toxic chemicals, and shall
25 develop recommendations for programs that would be
26 effective and feasible in California, based on the
27 inventory and analysis.

28 (c) In consultation with the advisory committee, large
29 businesses, and the public, the department shall develop
30 a low-cost voluntary program to further reduce
31 generation of hazardous waste by large businesses in
32 California. The program shall be designed to promote
33 cooperative relationships between California business
34 and the department, while creating a significant
35 environmental benefit from reduced hazardous waste
36 generation. The department shall include the program in
37 the work plan required by Section 25244.22 on or before
38 January 15, 2002.

(d) In designing and implementing the program the department shall take into consideration all of the following:

(1) Estimates of the volumes of potential reductions of hazardous waste generation and other possible program benefits.

(2) The types of facilities expected to participate and their current hazardous waste generation and other releases of toxic chemicals into the environment.

(3) The potential for reductions in hazardous waste generation resulting in an increase in releases of toxic chemicals to a different environmental medium.

(4) The potential public health and environmental benefits of the program.

(5) Methods for publicizing the program and encouraging facilities throughout the state to participate in the program.

(6) Providing appropriate public recognition of facilities that successfully are participating in the program.

(7) Establishing a means for monitoring the progress that each facility participating in the program is making toward implementing the program.

(8) Establishing methods for evaluating the implementation of the inventory, analysis, and program and for reporting on the progress of the program in the work plan required pursuant to Section 25244.22.

(9) Procedures for providing technical support to program participants to assist with the implementation of the program.

(e) Participation in the program shall not create a presumption that the participating facility has determined that any chemical release reduction measure is technically feasible or economically practicable pursuant to any other provision of law.

(f) Actions of the department pursuant to this section are exempt from the requirements of Chapter 3.5 (commencing with Section 11340) of Division 3 of Title 2 of the Government Code.

(g) If, on the basis of the inventory and analysis required by in subdivision (b), the department finds that it is not possible to design and implement, at relatively low cost, a voluntary program to promote cooperative relationships between California business and the department, while creating a significant environmental benefit, and the advisory committee concurs with this finding, the department is not required to implement the program.

SEC. 12. Section 57000 of the Health and Safety Code is amended to read:

57000. For purposes of this division, the following terms have the following meaning:

(a) “Agency” means the California Environmental Protection Agency.

(b) “Council” means the California Environmental Policy Council established by Section 71017 of the Public Resources Code.

(c) “Secretary” means the Secretary for Environmental Protection.

SEC. 13. Section 57007 is added to the Health and Safety Code, to read:

57007. (a) The agency, and the offices, boards, and departments within the agency, shall institute quality government programs to achieve increased levels of environmental protection and the public’s satisfaction through improving the quality, efficiency, and cost-effectiveness of the state programs that implement and enforce state and federal environmental protection statutes. These programs shall be designed to increase the level of environmental protection while expediting decisionmaking and producing cost savings. The secretary shall create an advisory group comprised of state and local government, business, environmental, and consumer representatives experienced in quality management to provide guidance in that effort. The secretary shall develop a model quality management program that local agencies charged with implementing air quality, water quality, toxics, solid waste, and

1 hazardous waste laws and regulations may use at their
2 discretion.

3 (b) Notwithstanding Section 7550.5 of the
4 Government Code, the agency, and each board,
5 department, and office within the agency, shall submit a
6 yearly report to the Governor and Legislature, as part of
7 the annual budget process, reporting on the extent to
8 which these state agencies have attained their
9 performance objectives, and on their continuous quality
10 improvement efforts.

11 (c) Nothing in this section abrogates any collective
12 bargaining agreement or interferes with any established
13 employee rights.

14 (d) For purposes of this section, “quality government
15 program” means all of the following:

16 (1) A process for obtaining the views of employees, the
17 regulated community, the public, environmental
18 organizations, and governmental officials with regard to
19 the performance, vision, and needs of the agency
20 implementing the quality government program.

21 (2) A process for developing measurable performance
22 objectiveness using the views of the persons and
23 organizations specified in paragraph (1).

24 (3) Processes for continually improving quality and for
25 training agency personnel, using the information
26 obtained from implementing paragraphs (1) and (2).

27 SEC. 14. *Section 4.5 of this bill incorporates*
28 *amendments to Section 25205.15 of the Health and Safety*
29 *Code proposed by both this bill and AB 2067. It shall only*
30 *become operative if (1) both bills are enacted and*
31 *become effective on or before January 1, 1999, (2) each*
32 *bill amends Section 25205.15 of the Health and Safety*
33 *Code, and (3) this bill is enacted after AB 2067, in which*
34 *case Section 4 of this bill shall not become operative.*

35 SEC. 15. No reimbursement is required by this act
36 pursuant to Section 6 of Article XIII B of the California
37 Constitution because the only costs that may be incurred
38 by a local agency or school district will be incurred
39 because this act creates a new crime or infraction,
40 eliminates a crime or infraction, or changes the penalty

1 for a crime or infraction, within the meaning of Section
2 17556 of the Government Code, or changes the definition
3 of a crime within the meaning of Section 6 of Article
4 XIII B of the California Constitution.

5 Notwithstanding Section 17580 of the Government
6 Code, unless otherwise specified, the provisions of this act
7 shall become operative on the same date that the act
8 takes effect pursuant to the California Constitution.

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